

Fact Sheet #14A: Non-Profit Organizations and the Fair Labor Standards Act (FLSA)

This fact sheet provides general information about how the FLSA applies to non-profit organizations. The FLSA is the Federal law which sets minimum wage, overtime, recordkeeping, and child labor standards. There are two ways in which an employee can be covered by the law and therefore entitled to its protections: "enterprise coverage" and "individual coverage."

Enterprise Coverage

The FLSA generally applies to ("covers") employees employed by businesses with annual gross volume of sales made or business done of at least \$500,000. Non-profit charitable organizations are not covered enterprises under the FLSA unless they engage in ordinary commercial activities that result in sales made or business done, such as operating a gift shop or providing veterinary services for a fee.

In determining whether or not a non-profit organization is a covered enterprise, the Wage and Hour Division will consider only activities performed for a business purpose.

Charitable, religious, educational, or similar activities of organizations operated on a non-profit basis where such activities are not in substantial competition with other businesses do not result in the organizations being considered covered enterprises. For a non-profit organization, enterprise coverage applies only to the activities performed for a business purpose; it does not extend to the organization's charitable activities.

Income from contributions, membership fees, dues (except any part which represents the value of a benefit, other than of token value, received by the payer), and donations (cash or non-cash), used in the furtherance of charitable activities, are not considered in determining whether an organization has met the dollar threshold required for FLSA enterprise coverage. See Fact Sheet 14: Coverage Under the Fair Labor Standards Act (FLSA) for additional information about enterprise coverage.

For example, a non-profit animal shelter provides free veterinary care, adoption services, and shelter for homeless animals (charitable activities). In addition, the shelter provides veterinary care for a fee to customers (commercial activities). If the revenue generated from the organization's commercial activities is at least \$500,000 in a year, the employees engaged in the commercial activities are protected by the FLSA on an enterprise basis. Employees of the organization's charitable activities are not covered on an enterprise basis since those activities do not have a business purpose.

Individual Coverage

Employees of employers that are not covered by the FLSA on an enterprise basis may still be entitled to its protections if they are individually engaged in interstate commerce or in the production of goods for interstate commerce, or in any closely-related process or occupation directly essential to such production.

Examples of activities that may result in individual employee coverage include making/receiving interstate telephone calls, shipping materials to another state, and transporting persons or property to another state. The Wage and Hour Division, however, will not assert that an employee who on isolated occasions spends an insubstantial amount of time performing individually covered work is individually covered by the FLSA. See Fact Sheet 14: Coverage Under the Fair Labor Standards Act (FLSA) for additional information about individual coverage.

Volunteers

The FLSA recognizes the generosity and public benefits of volunteering and allows individuals to freely volunteer in many circumstances for charitable and public purposes. Individuals may volunteer time to religious, charitable, civic, humanitarian, or similar non-profit organizations as a public service and not be covered by the FLSA. Individuals generally may not, however, volunteer in commercial activities run by a non-profit organization such as a gift shop. A volunteer generally will not be considered an employee for FLSA purposes if the individual volunteers freely for public service, religious or humanitarian objectives, and without contemplation or receipt of compensation. Typically, such volunteers serve on a part-time basis and do not displace regular employed workers or perform work that would otherwise be performed by regular employees. In addition, paid employees of a non-profit organization cannot volunteer to provide the same type of services to their non-profit organization that they are employed to provide.

Where to Obtain Additional Information

For additional information, visit our Wage and Hour Division Website: <http://www.wagehour.dol.gov> and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4USWAGE (1-866-487-9243).

This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.

U.S. Department of Labor
Frances Perkins Building
200 Constitution Avenue, NW
Washington, DC 20210

1-866-4-USWAGE
TTY: 1-866-487-9243
Contact Us

VOLUNTEER SIGN IN SHEET

DATE	NAME	IN	OUT	VOLUNTEER'S SIGNATURE
3/1	Paul Price	1:30	1:15	
3/1	Madeline - Judy	9:00		
3-7	Scott w. Schuler	3:45	4:30	Scott w. Schuler
3-7	John Toison	1:00	3:00	John Toison
3-7	Michael Gammert	6:45	3:00	Michael Gammert
3-7	Paul Price	7:00	3:00	Paul Price
3-7	Victor Lopez	3:00	3:15	Victor Lopez
3-7	Paul Price	3:00	1:00	Paul Price
3-7	Carly C. Cunniff	8:00	3:00	Carly C. Cunniff
3-8	James L. Richards	10:50	1:30	James L. Richards
3-8	Scott w. Schuler	03:45	14:30	Scott w. Schuler
3-8	Michael Gammert	06:00	13:00	Michael Gammert
3-8	John Toison	06:00	13:30	John Toison
3-8	Carly C. Cunniff	07:00	14:00	Carly C. Cunniff
3-8	ALVIN HALS	7:10	11:00	ALVIN HALS
3-8	Paul Price	8:30		Paul Price
3-8	Madeline - Judy	9:30	1:30	Madeline - Judy
3-8	Victor Lopez	9:30	3:30	Victor Lopez
3-8	John Toison	11:00	14:00	John Toison
3-9	Scott w. Schuler	3:45	14:30	Scott w. Schuler
3-9	Michael Gammert	1:30	12:00	Michael Gammert
3-9	John Toison	6:10	12:00	John Toison
3-9	ALVIN HALS	7:10	12:30	ALVIN HALS
3/9	Paul Price	7:15	12:30	Paul Price

Date	Name	Start	End	Notes
3-19	Scott W. Schulz	03:45	dot	
3-19	John Tosspon	5:45	2:00 PM	Scott W. Schulz
3-19	MIKE GARWICK	6:30	2:00 PM	John Tosspon
3-19	ALVIN HALSTED	7:10	12:30	MIKE GARWICK
3-19	Paul Price	7:15	2:30	John Tosspon
3-19	CARRY WHITE	7:15	3:00	MIKE GARWICK
3-19	Rosa Remedios	8:15		John Tosspon
3-19	VICTORIA WADE	9:00		MIKE GARWICK
3-19	BQ	12:00	3:30	John Tosspon

Date	Name	Start	End	Notes
3-20	Scott W. Schulz	03:40	1430	
3-20	MICHAEL GARWICK	6:30	1:00 PM	Scott W. Schulz
3-20	ALVIN HALSTED	7:10	1:00	MICHAEL GARWICK
3-20	CARRY WHITE	7:10	3:30	John Tosspon
3-20	Paul Price	7:15	3:00	MIKE GARWICK

Date	Name	Start	End	Notes
3-20	Rosa Remedios	8:15		
3-20	VICTORIA WADE	10:45		
3-20	John Tosspon	6:00	13:40	

Date	Name	Start	End	Notes
3-21	Scott W. Schulz	03:40	1430	
3-21	CARRY WHITE	0630	1500	Scott W. Schulz
3-21	ALVIN HALSTED	7:10	1:00	CARRY WHITE
3-21	MICHAEL GARWICK	6:30	11:00 AM	John Tosspon

Date	Name	Start	End	Notes
3-21	Paul Price	7:15	3:00	MIKE GARWICK
3-21	John Tosspon	6:00	14:35	John Tosspon
3-21	BQ/Rales	11:07	1:10	

Date	Name	Start	End	Notes
3-22	Scott W. Schulz	0345	1430	
3-22	MICHAEL GARWICK	6:30	12:00	Scott W. Schulz
3-22	Paul Price	7:15	2:30	MICHAEL GARWICK

3-22 LARRY WHITE 0620 2:50 Larry White
 3-22 ALVIN HALSTED 7:10 11:00 Alvin Halsted
 3-22 WALTER HAMILTON 8:15 3:00 Walter Hamilton
 3-22 VICTORIA, WARD 9:15 3:30 V
 3-23 Scott W. Schulz 0345 1200 Scott W. Schulz
 3-23 MICHAEL GARWICK 6:00 AM. Michael Garwick
 3-23 ALVIN HALSTED 7:10 12:30 Alvin Halsted
 3/23 Paul Price 7:15 2:30 Paul Price
 3/23 VICTORIA, WARD 9:30 2:37 V
 3/23 John Tosspon 6:00 12:30 John Tosspon
 3/23 BQ Kalk 11:30 3:00 BQ Kalk

3-26 Scott W. Schulz 0330 1130 Scott W. Schulz
 3-26 John Tosspon 6:00 14:30 John Tosspon
 3-26 MICHAEL GARWICK 6:00 Michael Garwick
 3-26 TRUITT 6:00 TRUITT
 3-26 ALVIN HALSTED 7:10 12:30 Alvin Halsted
 3/26 Paul Price 7:45 2:00 Paul Price
 3-26 LARRY WHITE 7:50 3:30 Larry White
 3-26 VICTORIA, WARD 11:30 3:35 V
 3/26 Rosa Remedios 8:00 - 1:00 Rosa Remedios
 3/26 Rosemary Hilbler 8:30 AM - 5:30 PM Rosemary Hilbler
 3-27 Scott W. Schulz 0345 1430 Scott W. Schulz

3/27	John Tusspon	6:00	12:30	Mr Tusspon
3/27	MICHAEL GARWICK	6:00	1:00PM	Mrs [unclear]
3-27	LARRY WHITE	6:10	2:00	[unclear]
3-27	ALVIN HALSTED	7:10	12:30	[unclear]
3/27	Paul Price	7:15	12:30	Paul Price
3/27	Rosemary Hibbler	7:30AM - 9:30AM 11:00AM - 3:00PM		Rosemary Hibbler
3/27	Walter Hamilton	8:00	1:15	Walter Hamilton
3/27	Rosa Remedios	8:00 - 1:30		Rosa Remedios
3-28	Scott W. Schulz	0345 - 1430		Scott W. Schulz
3-28	Deanna Davis	6:00 - 12:00		Deanna Davis
3-28	LARRY WHITE	6:00 -		Larry White
3-28	MICHAEL GARWICK	6:30 -		Michael Garwick
3-28	ALVIN HALSTED	7:10	1:00	Alvin Halsted
3/28	Paul Price	7:15	2:00	Paul Price
3/28	Rosa Remedios	7:30		Rosa Remedios
3/28	VICTORIA NABES	9:10		Victoria Nabes
3/28	Bj Rales	11:45	2:35	Bj Rales
3/28	Jermaine Pruitt	10:00		J. Pruitt
3/28	John Tusspon	6:00	12:45	John Tusspon
3/28	Rosemary Hibbler	8:00AM - 5:00PM		Rosemary Hibbler